



Attorney Docket No. 046124-825 US

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Yukio KATO et al.

Application No.: 09/555,342

Filed: May 26, 2000

For: HUMAN FETUS CHONDROCYTE –  
DERIVED GENE

Group Art Unit: 1642

Examiner: M. Davis

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

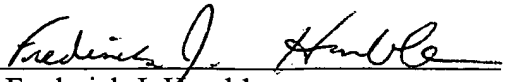
In a Restriction Requirement dated August 28, 2001, the Examiner required restriction under 35 U.S.C. § 121 between the claims of Group I (claims 11-13 and 29-32), Group II (claims 14-17, 25-28, and 32), or Group III (claims 19-21 and 32). Applicant hereby elects Group II (Claims 14-17, 25-28 and 32) for examination. Applicant respectfully requests formal examination of this application.

Also, further to Applicant's Representative's phone call with the Examiner on September 18, 2001, please find enclosed a copy of the sequence listing for the above application, a disk containing a computer readable copy of the sequence listing, and a new statement that the content of the paper and computer readable form of the sequence listing are the same. These items have been provided to replace those misplaced by the Patent and Trademark Office and bring the patent application into compliance with the requirements for patent applications containing nucleotide sequence and/or amino acid sequence disclosures.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:   
Frederick J. Hamble  
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Dated: September 28, 2001

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